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Applicant(s): **Brian Torok et al.**

Docket No.

133114-02CP

Application No.

09/758,978

Filing Date

January 12, 2001

Examiner

Robert L. Nasser

Customer No.

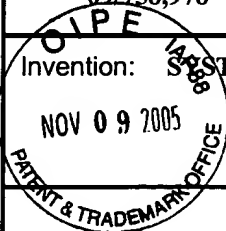
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Group Art Unit

3736

Invention: **SYSTEM FOR IDENTIFYING PREMATURE RUPTURE OF MEMBRANE DURING PREGNANCY**

NOV 09 2005



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Attorney Docket No. 133114-02CP

Group Art Unit: 3736

Examiner: Robert L. Nasser

Inventors: Torok *et al.*

Serial No.: 09/758,978

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For: SYSTEM FOR IDENTIFYING PREMATURE RUPTURE OF
MEMBRANE DURING PREGNANCY

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Alexandria, VA 22313-1450

SUPPLEMENTAL REPLY BRIEF

Appellants respectfully submit the present Supplemental Reply to
Supplement their Reply to the Examiner's Answer mailed August 1, 2004.

In Appellants' Reply Brief it was stated that

"Appellants also note that evidence of the irritating characteristics of bromothymol blue *may* have been submitted in USSN 09/595,594 (co-owned by Appellants herein), now abandoned, which is the parent case to the patent application under appeal. This application which was a continuation of USSN 09/351,875 (now issued as USPN 6,149,590), which was a continuation of USSN 09/120,829 (now issued as USPN 6,126,597). The Appellants are trying to obtain a copy of the file history for USSN 09/595,594 to confirm this one way or the other and will promptly submit a clarifying Supplemental Reply Brief."

Since the filing of their Reply Brief Appellants have obtained a copy of the
file history for USSN 09/595,594 and have carefully reviewed the documents in

this file history. The supposed evidence demonstrating irritating characteristics of bromothymol blue does not, in fact, appear among these documents. The undersigned Attorney for Appellants apologizes for any confusion that may have been created. The undersigned Attorney for Appellants acted without deceptive intent.

CONCLUSION

Appellants again respectfully submit that the appealed application is in condition for allowance and that the Examiner's outstanding rejections of this application are in error and should be reversed.

Respectfully submitted,



Thomas T. Moga
Registration No. 34,881
Attorney for Appellants

BUTZEL LONG
100 Bloomfield Hills Parkway
Suite 200
Bloomfield Hills, MI 48304
(248) 258-4496

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